
From: Elizabeth Haddix <ehaddix@lawyerscommittee.org>
Sent: Saturday, October 31, 2020 10:48 AM
To: William Hill; 'Ben Pierce'; Clyde Albright; Biller, Anthony J (78744); law@cityofgraham.com; bryan@jbryancolemanlaw.com
Cc: Mark Dorosin; Kristi Graunke; Emerson Sykes; Daniel Siegel; Vera Eidelman; Scott Holmes
Subject: Fwd: Discuss Oct 31 Drumwright March
Sensitivity: Confidential
Categories: Red category

Counsel:

Please see below communication. Meant to copy you all on it, but inadvertently just “replied all” to Chief Cole’s message without realizing that she had not copied the City Attorney.

I am available all day at 919-548-3584 if you wish to discuss.

Thanks,

Elizabeth

Elizabeth Haddix (she, her)
Managing Attorney
Lawyers Committee for Civil Rights
Under Law Regional Office
P.O. Box 956
Carrboro, NC 27510
919.521.8333
www.lawyerscommittee.org

From: Elizabeth Haddix <ehaddix@lawyerscommittee.org>
Sent: Saturday, October 31, 2020 10:44:31 AM
To: Kristi Cole <kcole@cityofgraham.com>
Cc: City Attorney <law@cityofgraham.com>; Frankie Maness <fmaness@cityofgraham.com>
Subject: Re: Discuss Oct 31 Drumwright March

Understood. Rev. Drumwright will set his PA and platform up at Sesquicentennial Square. He will be speaking to the rally participants who hopefully will all be able to stand at safe distances from one another on the courthouse steps, landings, lawns and sidewalks. As you know, those areas are all reserved for exclusive use between 11-2pm for participants in this event who support The message of this event. Therefore, we expect GPD and ACSO to intervene if necessary to remove counter demonstrators (which will include folks with Confederate and other similar symbols) from the permitted area during that time. Counter demonstrators may be within ear range, but at a far enough distance so that they do not interfere with or obstruct Rev. Drumwright's message or the message of any other speakers he has at this event.

Which also means that if there is traffic around that circle interfering with the message, either with shouting or flags or other disruptive activities (which presumably may also be a traffic violation), we expect GPD to do something about that.

Please call me directly if there is any problem at 919-548-3584. We are eager to resolve issues before they become a problem today.

Thanks,

Elizabeth

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Managing Attorney
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From: Kristi Cole <kcole@cityofgraham.com>

Sent: Friday, October 30, 2020 6:40:01 PM

To: Elizabeth Haddix <ehaddix@lawyerscommittee.org>

Cc: City Attorney <law@cityofgraham.com>; Frankie Maness <fmaness@cityofgraham.com>

Subject: Fwd: Discuss Oct 31 Drumwright March

Mrs. Haddix,

The road closure is only temporary to accommodate the march until it reaches the final destination, which I though was the historic court house. Once the group arrives Main st. will be opened back up for normal traffic.

Mr. Drumwright will not be allowed to block N. Main St. at courtsquare and no road closures are permitted. The lack of communication from Mr. Drumwright since our first meeting has left us scrambling at the last minute to arrange for a safe event for Mr. Drumwright's group. Street closures of the type that Mr. Drumwright is requesting requires city council approval and must be heard during a scheduled city council meeting. This rule applies to any group that requests a road closure, not just his. As I said this morning Mr. Drumwright missed the deadline to get his request on the agenda for the council to hear. I was hoping to have an open line of communication to ensure a safe event and am disappointed that this event will be a point of contention between our agency and Mr. Drumwright's group. To accommodate his speakers he is permitted to set up his trailer and pa system in The northwest corner of sesquicentennial square park in the closed off section and have his presenters address the crowd from there. I reiterate that he will not be permitted to block N. Main St. at historic courthouse.

Kind regards,
Kristy Cole
Chief of Police

From: Elizabeth Haddix <ehaddix@lawyerscommittee.org>

Sent: Friday, October 30, 2020 5:02:35 PM

To: Frankie Maness <fmaness@cityofgraham.com>

Cc: Mark Dorosin <mdorosin@lawyerscommittee.org>; Kristi Cole <kcole@cityofgraham.com>; Bryan Coleman <jbryancoleman@triad.twcbc.com>; Biller, Anthony J (78744) <ajbiller@michaelbest.com>; 'Kristi Graunke' <kgraunke@acluofnc.org>; William Hill <whill@frazierlawnc.com>; 'Ben Pierce' <Ben.Pierce@alamance-nc.com>; Clyde Albright <Clyde.Albright@alamance-nc.com>; City Attorney <law@cityofgraham.com>; Greg Drumwright <greg@gregdrumwright.com>

Subject: RE: Discuss Oct 31 Drumwright March

[NOTICE: This message originated outside of the City of Graham, NC mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hit send too quickly and left out a word in first para below, correct in red

Elizabeth Haddix (*she, her*)

Managing Attorney

Regional Office, Lawyers' Committee for Civil Rights Under Law

P.O. Box 956

Carrboro, NC 27510

Tel.: 919.914.6106

Website: www.lawyerscommittee.org

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From: Elizabeth Haddix

Sent: Friday, October 30, 2020 5:00 PM

To: Frankie Maness <fmaness@cityofgraham.com>

Cc: Mark Dorosin <mdorosin@lawyerscommittee.org>; Kristi Cole <kcole@cityofgraham.com>; Bryan Coleman <jbryancoleman@triad.twcbc.com>; Biller, Anthony J (78744) <ajbiller@michaelbest.com>; 'Kristi Graunke' <kgraunke@acluofnc.org>; William Hill <whill@frazierlawnc.com>; 'Ben Pierce' <Ben.Pierce@alamance-nc.com>; Clyde Albright <Clyde.Albright@alamance-nc.com>; City Attorney <law@cityofgraham.com>; Greg Drumwright <greg@gregdrumwright.com>

Subject: RE: Discuss Oct 31 Drumwright March

Frank:

Chief Cole has already agreed and planned for closure of North Main from Weyman's Chapel to the Historic Courthouse as stated in the attached document. It is also worth noting that she did not mention any of the reasons you cite for refusing to close the north half of the Court Square rotary and for not allowing Rev. Drumwright to set up his stage on North Main. Neither you nor anyone else representing the City mentioned any of these concerns **during the City Council meeting discussion of this event on October 13.**

The City's refusal to close that portion of the circle for 2 hours to allow this permitted event to happen safely is especially troubling given the county's approval of the permit for use of Courthouse Square, the limited time of the closure request, and the easy alternative available access in and around downtown for residents, voters, and emergency vehicles. This situation illustrates the dangers of having a process for permitting that is not transparent and allows for unfettered law enforcement discretion.

Chief Cole suggested on our call today that Rev. Drumwright set up his PA system in either the park or other corner of North Main and Court Square, so this is now the plan: he will station a truck and short trailed with his generator and PA on one of those corners, and pull it out into North Main at 11:00am (since the street will otherwise be closed to vehicular traffic at that time). That will serve as a stage and will also serve to protect rally participants who are standing in North Main St. from the vehicular traffic that the City is apparently continuing to allow around the circle during this permitted event. March and rally participants will, as Chief Cole also suggested, congregate in all areas outlined in orange on the map she attached to her Oct 27 letter (both corners, and northeast and northwest Courthouse

lawns and sidewalks, North landing and steps) and will also (if their numbers require) occupy that portion of North Main closest to the courthouse.

Thanks,

Elizabeth

Elizabeth Haddix (*she, her*)

Managing Attorney

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From: Frankie Maness <fmaness@cityofgraham.com>

Sent: Friday, October 30, 2020 3:50 PM

To: Elizabeth Haddix <ehaddix@lawyerscommittee.org>

Cc: Mark Dorosin <mdorosin@lawyerscommittee.org>; Kristi Cole <kcole@cityofgraham.com>; Bryan Coleman <jbryancoleman@triad.twcbc.com>; Biller, Anthony J (78744) <ajbiller@michaelbest.com>; 'Kristi Graunke' <kgraunke@acluofnc.org>; William Hill <whill@frazierlawnc.com>; 'Ben Pierce' <Ben.Pierce@alamance-nc.com>; Clyde Albright <Clyde.Albright@alamance-nc.com>; City Attorney <law@cityofgraham.com>; Greg Drumwright <greg@gregdrumwright.com>

Subject: RE: Discuss Oct 31 Drumwright March

Elizabeth:

I'm sorry I was unable to join the call this morning. I hope you can appreciate that the City has a delicate balancing act specific to this event. Public safety concerns are always the foremost consideration we have. Our staff, in conjunction with our partnering agencies, have identified the potential public safety risks and are making the necessary arrangements to minimize the same. Based on the attendee information provided by Mr. Drumwright, a determination was made that a street closure is not required as a public safety measure. In this case, unnecessary closure of the subject streets causes 1st responders to take alternative routes to the densely populated northern part of the City, adding to general public safety concerns. As you know, in certain emergency situations every second matters and alternative routes are not the primary routes for a reason. Also, if roads are closed it further compromises the ability of our first responders as they (and their vehicles) become traffic control attendants rather than focusing on their primary public safety duties. This also affects staffing and the allocation of resources already in place.

In addition to ensuring public safety, closure of streets is further complicated by the fact that the one stop voting poll is only about 500' away from the Historic Court House. Closure of the northern half of court square in effect forces limited access to the 100 Block of N. Main Street and the 100 blocks of Elm St. (and a one way condition). This would then put the impact within a matter of feet from the poll. Everyone on this email knows the added layer of law surrounding elections and the City does not want restrict anyone's access to the polls. I understand that we are in the 11th hour of preparations for the event and I respectfully request that all participants defer to the best judgement of law enforcement to ensure the safety required of all involved. If you have further questions, please direct them to Chief Cole. Thank you in advance for your cooperation. Here's hoping for a safe and successful event.

Regards,

Frankie Maness

City Manager

PO Drawer 357

Graham, NC 27253

336.570.6700 x113



From: Elizabeth Haddix [<mailto:ehaddix@lawyerscommittee.org>]

Sent: Friday, October 30, 2020 1:53 PM

To: Frankie Maness <fmaness@cityofgraham.com>

Cc: Mark Dorosin <mdorosin@lawyerscommittee.org>; Kristi Cole <kcole@cityofgraham.com>; Bryan Coleman <jbryancoleman@triad.twcbc.com>; Biller, Anthony J (78744) <ajbiller@michaelbest.com>; 'Kristi Graunke' <kgraunke@acluofnc.org>; William Hill <whill@frazierlawnc.com>; 'Ben Pierce' <Ben.Pierce@alamance-nc.com>; Clyde Albright <Clyde.Albright@alamance-nc.com>; City Attorney <law@cityofgraham.com>; Greg Drumwright <greg@gregdrumwright.com>

Subject: RE: Discuss Oct 31 Drumwright March

[NOTICE: This message originated outside of the City of Graham, NC mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Mr. Maness,

I've just left a voicemail message for Bryan Coleman and copy him here as well. On our call earlier today with Chief Cole, I asked if there were any public safety or other reason that she has not agreed to close the NE – NW Court Square (also called NC HWY 87) from 11:00am to 2:00pm or allow a stage with a generator-powered PA system at the juncture of North Main and North Court Square tomorrow and she said that she was not authorized by the City Council to do either of those things. She said only that

Rev. Drumwright did not specifically request those two items on Oct. 13 when he addressed City Council. We all agreed that, after listening to the recording of that portion of the Oct 13 City Council meeting, I would contact you and Mr. Coleman for guidance.

During the limited (3 minutes) that Rev. Coleman was permitted to make his request on Oct 13, he did refer several times to his July 11 march and rally, which involved GPD closing a larger stretch of North Main / Hwy 87 than is sought for tomorrow, and also involved setting up a stage and PA at the same location he's seeking to use now, for approximately the same period of time. On Oct 13, you and Mr. Coleman were both very clear that the City Council would take "no action at all" (Mr. Coleman's words) on Rev. Drumwright's request, since with the repeal of the permit and parade ordinance back in July, there are "no rules now" (your words). You both directed Rev. Drumwright to coordinate all logistics for the Oct 31 march and rally with Chief Cole, which he then proceeded to do. Chief Cole has been aware of these two requests at least since October 20, when she met in person with Rev. Drumwright and discussed the stage, PA and closure of the NW-NE Court Square. She has not provided any reason, other than "lacking authorization" from the City, for denying those requests or otherwise treating Rev. Drumwright and this march and rally differently than his July 11 march and rally (which was also coordinated with the City and ACSO), and has now told us to seek that authorization from you. Please advise as soon as you can whether the City Council must authorize Chief Cole to allow the stage and road closure specifically. We are aware of no policy, rule or statute that would require that. As I told Mr. Coleman in my message to him, I am happy to talk with him and/or you by phone, at 919-548-3584.

Thanks,

Elizabeth

PS. The County's offer to let Rev. Drumwright put the stage on the North landing unfortunately does not solve the problem because the Facility Use Policy prohibits use of any sound amplification on courthouse property that is not battery powered, and no such system will be sufficiently heard by the number of participants Rev. Drumwright is expecting (at least the same number as were present on July 11, which was around 1,200).

Elizabeth Haddix (*she, her*)

Managing Attorney

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